

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS



EXECUTIVE DIRECTOR
LaSharn Hughes

MEDICAL DIRECTOR
Jim H. McNatt, MD

2 Peachtree Street, N.W., 36th Floor • Atlanta, Georgia 30303 • Tel: 404.656.3913 • <http://www.medicalboard.state.ga.us>
E-Mail: Medbd@dch.state.ga.us

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENT TO AMEND AND ADOPT RULES

TO ALL INTERESTED PARTIES:

Notice is hereby given by the Composite State Board of Medical Examiners that it intends to amend Chapter 360-11, entitled "Paramedics and Cardiac Technicians," by deleting said rule in its entirety and adopting in lieu thereof a new Chapter 360-11, entitled "Lasers." An exact copy of the proposed amendment is attached to this Notice.

This notice, together with an exact copy of the proposed rule and a synopsis of the proposed rule are being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rules and a synopsis of the proposed rules may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Composite State Board of Medical Examiners, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303.

Any interested person who will be affected by these rules may present his or her comments to the Board no later than January 20, 2006 or make comments at the public hearing. Comments may be directed to Diane Atkinson, Composite State Board of Medical Examiners, 2 Peachtree Street, NW, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at matkinson@dch.state.ga.us.

A public hearing is scheduled to begin at 8:30 a.m. on February 2, 2006 at the DCH Board Room, 40th Floor, 2 Peachtree Street, N.W., Atlanta, Georgia 30303, to provide the public an opportunity to comment upon and provide input into the proposed rules.

The Board voted to adopt this Notice of Intent on December 1, 2005. The attached proposed rules will be considered for adoption by the Board at its meeting on February 2, 2006 that is scheduled to begin at 8:30 a.m. at the 40th Floor Board Room, 2 Peachtree Street, NW, Atlanta, GA 30303. The authority for promulgation of these rules is O. C. G. A. §§ 43-34-20, 43-34-24(c), 43-34-26.1, 43-1-19, 43-34-37 and the specific statutes cited in the proposed rules.

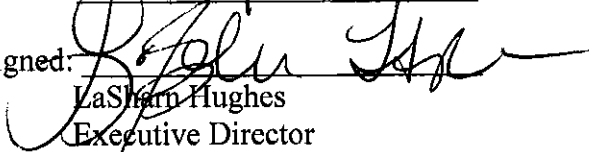
The Board will consider at its meeting on February 2, 2006, whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally at its meeting on February 2, 2006, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D).

This Notice is adopted and posted in compliance with O.C. G.A. § 50-13-4 of the Georgia Administrative Procedures Act.

Date:

12/2/05

Signed:



LaSharn Hughes

Executive Director

Composite State Board of Medical Examiners

ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-11 LASERS

ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Composite State Board of Medical Examiners licenses and regulates six professions. The Board will consider at its meeting on February 2, 2006 whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that accomplishes the objective of the statutes which are the basis of the proposed rule. Additionally, at its meeting on February 2, 2006, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A)(B)(C)(D). of Georgia Annotated.

RULE SYNOPSIS:

360-11 Lasers

Purpose

The purpose of the proposed amended chapter is to provide requirements for the use of certain lasers by physicians licensed pursuant to Article 2, Chapter 34, Title 43 of the O.C.G.A., Physician's Assistants, Nurses who are licensed to practice as registered professional nurses who are authorized by the Georgia Board of Nursing to engage in advanced nursing practice, and other qualified personnel as defined in the rule.

Main Features:

Rule 360-11-.01 provides definitions for lasers, physician, physician's assistant, nurse, direct supervision and qualified personnel. Rule 360-11-.02 provides that the use of a laser, as defined in Chapter 360-11, is the practice of medicine and that a physician who delegates or fails to supervise the utilization of lasers in violation of this chapter may be subject to discipline. Rule 360-11-.02 provides training and supervision requirements. The rule further provides that supervising physicians who delegate the utilization of lasers to a physician's assistant or nurse who is authorized by the Georgia Board of Nursing to engage in advanced nursing practice must practice at a location within 20 miles but no more than 30 minutes of the location where the supervised physician's assistant or nurse authorized by the Georgia Board of Nursing to engage in advanced practice nursing is utilizing the laser and that the supervising physician must be readily

available for consultation as needed. Rule 360-11-.04 provides that physician is responsible for the safety of the patient regardless of who performed the laser procedure.

The differences between the existing rule and the proposed amendment to the rule are shown below: (The lined-through text is proposed to be deleted and underlined text is proposed to be added.)

RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

CHAPTER 360-11
LASERS

TABLE OF CONTENTS

<u>360-11-.01</u>	<u>Definitions</u>
<u>360-11-.02</u>	<u>Use of Laser is Practice of Medicine</u>
<u>360-11-.03</u>	<u>Requirements for Using a Laser</u>
<u>360-11-.04</u>	<u>Physician Responsibility</u>

360-11-.01 Definitions

(1) "Lasers" means lasers that are prescription devices, the sale of which are regulated by the U.S. Food and Drug Administration, that can be sold only to licensed practitioners with prescriptive authority. This term includes, but is not limited to, pulsed dye devices, intense pulsed light devices and radio frequency generators.

(2) "Physician" means one who is licensed to practice medicine in this State pursuant to Article 2, Chapter 34, Title 43 of the Official Code of Georgia Annotated (O.C.G.A.).

(3) "Physician's Assistant" means one who is licensed as a physician's assistant in this State pursuant Article 4, Chapter 34, Title 43 of the O.C.G.A.

(4) "Nurse" means a nurse who is licensed to practice as registered professional nurse and who is authorized by the Georgia Board of Nursing to engage in advanced nursing practice pursuant to Article 1, Chapter 26, Title 43 of the O.C.G.A.

(5) "Direct supervision" means the supervising physician is physically present on the premises and immediately available to lend medical assistance if needed.

(6) "Qualified Personnel" means individuals who are licensed in the healing arts under Title 43 of the Official Code of Georgia Annotated, other than a licensed Physician's Assistant in conformity with an approved job description or a Nurse who is authorized by the Georgia Board of Nursing to engage in advance nursing practice in conformity with a

nurse protocol, who have had documented training in the safe and effective use of the laser(s).

Authority : OCGA Secs. 43-34-20, 43-34-24(c), 43-34-26.1

360-11-.02 Use of Laser is Practice of Medicine.

- (1) The use of a laser, as defined by this chapter, on human beings for medical or cosmetic purposes is the practice of medicine as defined by OCGA 43-34-20(3).
(2) A physician who delegates and/or fails to supervise the utilization of lasers in violation of this Chapter may be subject to discipline for knowingly aiding, assisting or encouraging an unlicensed person to practice medicine or for knowingly aiding, assisting or encouraging a licensed person to practice outside the scope of his or her license pursuant to O.C.G.A. §§ 43-1-19(a)(7) and 43-34-37(a)(9).

Authority: OCGA Secs. 43-34-20, 43-34-24(c), 43-34-26, 43-1-19(a)(7) and 43-34-37(a)(9).

360-11-.03 Requirements for Using a Laser.

- (1) Physicians utilizing lasers should be trained in the physics, safety and surgical techniques involved in the use of lasers, including a minimum of 8 hours of documented training or a certificate of laser training from their residency training program.
- (2) A physician may delegate the utilization of lasers to a Physician's Assistant in conformity with an approved job description or a Nurse, who is authorized by the Georgia Nursing Board to engage in Advanced Nursing Practice, in conformity with a Nurse protocol pursuant to and in accordance with the provisions of O.C.G.A. § 43-34-26.1, when such utilization of lasers is in the physician's normal course of practice and/or training and the Physician's Assistant or Nurse, who is authorized by the Georgia Nursing Board to engage in Advanced Nursing Practice has:
- (a) Completed and is able to document a minimum of 16 hours of training in a Board-approved program in the safe and effective use of lasers;
- (b) Completed at least 10 procedures under direct supervision and the completion and evaluation of performance of said procedures has been documented by the supervising physician.
- (3) For the purposes of this chapter, a physician may delegate the utilization of lasers to no more than two Nurses, who are authorized by the Georgia Nursing Board to engage in Advanced Nursing Practice, in conformity with a nurse protocol pursuant to O.C.G.A. § 43-34-26.1, at any one time.
- (4) Qualified personnel, other than a physician's assistant in conformity with an approved job description or a Nurse, who is authorized by the Georgia Nursing Board to engage in

Advanced Nursing Practice, in conformity with a nurse protocol as permitted by O.C.G.A. § 43-34-26.1, may operate a laser under the direct supervision of the physician if:

(a) The physician reviews the patient's history, performs an appropriate and pertinent physical examination, makes an appropriate diagnosis, recommends appropriate treatment and obtains the patient's informed consent prior to commencing laser treatment. The informed consent must include informing the patient if a non-physician may operate the laser. The physician must provide instructions for emergency and follow-up care and prepare an appropriate medical record.

(b) The physician must have prepared a written protocol for the qualified personnel to follow in operating the laser.

(c) The qualified personnel have successfully completed and documented training in the safe and effective use of the laser consisting of 24 hours in a Board-approved training program.

(d) The qualified personnel shall not act independently or exercise independent medical judgment in performing a laser procedure.

(e) The physician shall provide direct supervision for all treatments or procedures utilizing lasers. The use of lasers by such qualified personnel for conditions that present unusual or significant risks, which include but are not limited to such factors as a patient's age, co-morbid conditions, and the diagnosis or location on the body, may be inappropriate.

(6) Supervising physicians, who delegate the utilization of lasers to a Physician's Assistant or Nurse, who is authorized by the Georgia Nursing Board to engage in Advanced Nursing Practice as defined in Rule 360-11-.01, must practice at a location within 20 miles but no more than 30 minutes of the location where the supervised physician's assistant or Nurse, who is authorized by the Georgia Nursing Board to engage in Advanced Nursing Practice, is utilizing the laser and must be readily available for consultation as needed.

Authority: OCGA Secs. 43-34-20, 43-34-24(c), 43-34-26.1, 43-34-37.

360-11-.04 Physician Responsibility. The physician is responsible for the safety of the patient, regardless of who performed the laser procedure. A physician may be subject to discipline for failure to comply with the provisions of this chapter.

Authority: OCGA Secs. 43-34-24(c), 43-1-19, 43-34-37.

RULES

OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

CHAPTER 360-11
PARAMEDICS AND CARDIAC TECHNICIANS

TABLE OF CONTENTS

360-11-.01 Purpose
360-11-.02 Requirements for Board Approval of Paramedics and Cardiac Technicians
360-11-.03 Applications for Board Approval
360-11-.04 Fees
360-11-.05 Examination and Certification
360-11-.06 Approval of Training Course
360-11-.07 Change of Status
360-11-.08 Disciplinary Action/Revocation
360-11-.09 Renewal and Recertification
360-11-.10 Temporary Certificates
360-11-.11 Continuing Education Requirements
360-11-.12 Compliance

360-11-.01 Purpose. Amended.

The purpose of this Chapter is to implement the "Ambulance Service Act" as amended during the 1977 General Assembly, authorizing the Board to adopt rules and regulations and perform all acts necessary in carrying out the program of certification of Paramedics and Cardiac Technicians.

Authority O.C.G.A. Sec. 31-11-52.

360-11-.02 Requirements for Board Approval of Paramedics and Cardiac Technicians. Amended.

No person shall practice as a Paramedic or Cardiac Technician without Board approval. The requirements for Board approval as a Paramedic or Cardiac Technician are as follows:

- (a) Must submit letters of reference from two (2) currently licensed physicians, who are familiar with the applicant's ability to perform.
- (b) Must submit documentation of completion of an approved training program.
- (c) Must have knowledge and comprehension of the laws and rules governing Paramedics and Cardiac Technicians.
- (d) Must obtain a passing score on either the Board's examination or the National Registry Paramedic examination.

Authority O.C.G.A. Sec. 31-11-52.

360-11-.03 Applications for Board Approval. Amended.

All applications must be complete in every detail, where applicable. All applicants for the Cardiac Technician examination must file an application with the Board no later than forty five (45) days prior to the examination. In-state National Registry applicants must file an application with the Board no later than forty five (45) days prior to the next Board meeting. Out-of-state National Registry applicants must file an application with the Board no later than sixty (60) days prior to the next Board meeting. Upon satisfactory completion of the application, the applicant shall be advised of their eligibility for the examination or for the certification by endorsement as specified by the Board.

Authority O.C.G.A. Sec. 31-11-52.

360-11-.04 Fees. Amended.

- (1) A schedule of fees is published by the Board and may be obtained from the Board office by request.
- (2) The Board may issue refunds for cause. Refunds may be issued under the following circumstances:
 - (a) Certification fees may be refunded to applicants who withdraw their applications prior to consideration by the Board. Application fees will be withheld to cover the cost of processing the applications;
 - (b) No refunds are made in a case where the Board reviews and denies an application;
 - (c) Renewal fees and inactive certificate fees are non-refundable.

Authority O.C.G.A. Secs. 31-11-52, 43-1-7.

360-11-.05 Examination and Certification. Amended.

- (1) The Composite State Board of Medical Examiners shall be responsible for preparation of the certifying examination for Cardiac Technicians, which may consist of three (3) parts: oral, written and practical. No partial examinations will be given. The Cardiac Technician applicant must pass the Board approved certifying examination which shall be administered at least twice a year in such locations as the Board shall determine. The dates and locations may be obtained from the Office of the Joint Secretary, State Examining Boards, Atlanta, Georgia.
 - (a) If the Cardiac Technician fails a second time, the Board may require completion of at least 35 hours of additional training.
 - (b) If the Cardiac Technician applicant fails four times, the Board may require either:
 - (c) Completion of 75 hours of additional training and a two year waiting period; or
 - (d) Completion of the entire initial certification course.
 - (e) An applicant who has failed an examination six times will be required to complete the entire initial certification course again before the applicant is scheduled for re-examination.
 - (f) All applicants must be approved by the Board before a certificate, identification card, and patch will be issued.
 - (g) Those certified must be properly identified by a name plate and the Board's shoulder patch.
- (2) The Composite State Board of Medical Examiners shall be responsible for preparation of the certifying examination for Paramedics, which may consist of three (3) parts: oral,

written, and practical. No partial examinations will be given. The Paramedic applicant must pass the Board approved certifying examination, which shall be administered at least twice a year in such locations as the Board shall determine. The dates and locations may be obtained from the Office of the Joint Secretary, State Examining Boards, Atlanta, Georgia.

(a) If the Paramedic applicant fails a second time, the Board may require completion of at least 50 hours of additional training.

~~(b) If the Paramedic applicant fails four times, the Board may require either:~~

~~(c) Completion of 100 hours of additional training and a two year waiting period; or~~

~~(d) Completion of the entire initial certification course.~~

~~(e) An applicant who has failed the examination six times will be required to complete the entire initial certification course again before the applicant is scheduled for re-examination.~~

~~(f) Effective December 31, 1997, the Board shall require Paramedic applicants to take and pass the National Registry Paramedic examination for Paramedics. Prior to December 31, 1997, the Board shall accept a passing score on the Board approved certifying examination. The Board may also endorse a passing score on the National Registry Paramedic examination in lieu of requiring a passing score on the Board approved examination. Applicants must in all other respects meet the requirements of the Board.~~

~~(g) All applicants must be approved by the Board before a certificate, identification card, and patch will be issued.~~

~~(h) Those certified must be properly identified by a name plate and the Board's shoulder patch.~~

Authority O.C.G.A. Sec. 31-11-52.

360-11-.06 Approval of Training Courses. Amended.

~~(1) Any applicant who has been certified in another state and wishes to become certified in the State of Georgia, may file an application with appropriate credentials to substantiate all training and field experience; including letters of reference from two (2) currently licensed physicians, who are familiar with the applicant's ability to perform.~~

~~(2) The applicant's teaching/training course will be evaluate by the Department of Human Resources to determine if the course is equivalent to those courses approved by that Agency. An applicant must demonstrate that he or she has satisfactorily completed a training program which is at least equivalent to approved programs in Georgia to be eligible to take the examination or obtain certification based on endorsement of the National Registry exam. To be equivalent, a training program must include the following:~~

~~(a) Cardiac Technicians — Completion of an Advanced Cardiac Life Support training course with a certification card issued by the American Heart Association, instruction of Division 1 — Section 1-7, Division 2 — Section 1-5, Division 4 — Section 1-3 of the National Training Course, EMT-Paramedic, U.S. Department of Transportation, National Highway Traffic Safety Administration, Division series, and at least 460 hours of classroom training with passing scores, and successful completion of the training program.~~

~~(b) Paramedics — Completion of an Advanced Cardiac Life Support training course with~~

a certification card issued by the American Heart Association, instruction of Division 1-6 and all sections therein of the National Training Course, EMT-Paramedic, U.S. Department of Transportation, National Highway Traffic Safety Administration, Division series, and at least 750 hours of classroom training with passing scores, and successful completion of the training program.

Authority O.C.G.A. Sec. 31-11-52.

360-11-.07 Change of Status. Amended.

The Board shall be kept informed by the applicant, of any change in employment or change of address or educational level. All correspondence will be included in the permanent file of the applicant.

Authority O.C.G.A. Sec. 31-11-52.

360-11-.08 Disciplinary Action/Revocation. Amended.

The Board may take disciplinary action including termination or revocation of a certificate issued to a Paramedic or Cardiac Technician, after a notice and opportunity for hearing pursuant to the Georgia Administrative Procedure Act, as amended, if the Board finds such Paramedic or Cardiac Technician has committed any of the following acts:

- (a) deliberate misrepresentation and falsification of information on the application;
- (b) professional or mental incompetency;
- (c) violation of any Board rule and regulation under "Ambulance Service Act," 1977, or as amended;
- (d) failure to adhere to the Protocols as approved by the Board;
- (e) gross deviation from physician's instructions which are consistent with quality emergency care;
- (f) mistreatment or abandonment of patient;
- (g) breach of confidential patient information;
- (h) willfully making and filing false records or reports in his/her performance as a Paramedic or Cardiac Technician;
- (i) any use of intoxicants or drugs that he/she is unable to perform safely while on duty as a Paramedic or Cardiac Technician;
- (j) been convicted in any court, of any felony or other criminal offense;
- (k) had disciplinary action imposed by another state or other lawful licensing authority;
- (l) gross disregard for the safety of patients or the public in the operation of an emergency vehicle;
- (m) knowingly maintaining a professional connection or association with an unlicensed or uncertified individual or aiding and abetting unlicensed or uncertified practice;
- (n) division of fees for accepting or referring a patient;
- (o) violating a statute, rule or regulation of this State, any other state, the Board, the United States or any other lawful licensing authority, which statute, rule or regulation related to or in part regulates emergency medical services, when the certificate holder knows or should know that such action is violative of such statute, rule or regulation, or violating any lawful order of the Board;

~~(p) any action or omission which is indicative of bad moral character or untrustworthiness.~~

~~Authority: O.C.G.A. Sec. 31-1-52.~~

~~360-11-.09 Renewal and Recertification. Amended.~~

~~(1) Each certificate holder shall promptly notify the Board, in writing, of all changes of address. Any mailing or notice from the Board shall be considered to be served on the certificate holder when sent to the last address on file with the Board for that certificate holder.~~

~~(2) Paramedic and Cardiac Technician certificates must be renewed biennially on June 30 of even-numbered years. At least two months prior to the expiration date of the certificate the Board will mail each currently certified Paramedic and Cardiac Technician a renewal notice. This renewal notice must be completed and returned to the Board with the renewal fee before the June 30 expiration date to avoid the penalty for late renewal.~~

~~(a) Paramedics and Cardiac Technicians may not practice after the expiration date of the certificate.~~

~~(3) The penalty period for late renewal is the six (6) month period immediately following the expiration date for the last renewal cycle. During this period, the penalty fee for late renewal applies.~~

~~(4) Following the expiration on the penalty period, the Board shall revoke the certificate of any Paramedic or Cardiac Technician for failure to renew, and such revocation removes all rights and privileges to practice in this State. A Paramedic or Cardiac Technician who is so revoked must apply for certification to be considered for reinstatement. Revocation for failure to renew may be reported to the public and to other state licensing boards, and will be reported as a revocation for failure to renew and will not be treated as a disciplinary revocation.~~

~~(5) A certificate holder who wishes to maintain his or her certificate but who does not wish to practice as a Paramedic or Cardiac Technician in this State may apply to the Board for inactive status by submitting an application and the fee. A certificate holder with an inactive status may not practice in this State.~~

~~(6) A certificate which has been placed in inactive status may be reactivated subject to Board approval, upon payment of the reinstatement fee and submission of an application as required by the Board. An applicant requesting reinstatement must be able to demonstrate to the satisfaction of the Board that he or she has maintained current knowledge, skill and proficiency. The Board may require the passage of an examination. There shall be a fee for reinstatement of an inactive certificate as designated in the fee schedule.~~

~~Authority O.C.G.A. Secs. 31-11-52; 43-1-4; 43-1-7.~~

~~360-11-.10 Temporary Certificates. Amended.~~

~~In the discretion of the Joint Secretary, State Examining Boards, with the approval of the President of the Composite State Board of Medical Examiners, a temporary certificate may be issued to an endorsement applicant which shall have the same force and effect as a permanent certificate until the next regular meeting of the Board, when said certificate shall become void.~~

Authority O.C.G.A. Sec. 31-11-52.

~~360-11-11 Continuing Education Requirements.~~

~~(1) All currently certified Paramedics and Cardiac Technicians shall complete Board approved continuing education of not less than 40 hours biennially, with the following exceptions:~~

~~(a) Certificate holders who are initially certified by the Board and who have not renewed their certificates for the first time;~~

~~(b) Certificate holders whose certificates are not active, such as those who are inactive or revoked. Certificate holders who are suspended or in some other way disciplined by the Board must meet the requirements unless otherwise stipulated by Board Order.~~

~~(c) Certificate holders specifically exempted from this requirement by Board Order due to cases of hardship, disability, illness, or under such other circumstances as the Board deems appropriate if supported by adequate documentation acceptable to the Board.~~

~~(2) The Board accepts approval by the Georgia Department of Human Resources (D.H.R.) as meeting its requirement for Board approval, provided that the certificate holder takes necessary course work to maintain current Advanced Cardiac Life Support certification. The Board will accept course work required to maintain Advanced Cardiac Life Support certification in lieu of DHR approved courses or in combination with DHR approved courses for a total of 40 hours during the biennium.~~

~~(3) It is the responsibility of the certificate holder to verify D.H.R. approval. The certificate holder should verify approval before taking the course.~~

~~(4) Paramedics and Cardiac Technicians who must meet the continuing education requirements of O.C.G.A. 31-11-58.1 must document the completion of D.H.R. approved continuing education of not less than 40 hours from July 1 and ending June 30 of even numbered years. This time period constitutes the biennial renewal cycle pursuant to Rule 360-11-09.~~

~~(5) Each certificate holder who must meet these requirements must maintain records of attendance and supporting documents for continuing education for a period of 5 years from the date of attendance. At a minimum, the following must be kept:~~

~~(a) Name of provider;~~

~~(b) Name of program;~~

~~(c) Hours/continuing education units completed;~~

~~(d) Date of completion;~~

~~(e) Evidence of approval by the Georgia Department of Human Resources.~~

Authority O.C.G.A. Sec. 31-11-58.1.

~~360-11-12 Compliance.~~

~~(1) Paramedics and Cardiac Technicians will be required to answer questions on their biennial renewal form and on supplementary forms approved by the Board which establish either compliance or eligibility for exception pursuant to Rule 360-11-11(1). Paramedics and Cardiac Technicians will not be required to send documentation of compliance with continuing education requirements for renewal, unless requested by the Board, pursuant to Rule 360-11-12(2). False statements regarding satisfaction of~~

~~continuing education requirements on the renewal form or any other documents may subject the certificate holder to disciplinary action by the Board.~~

~~(2) Following renewal, the Board will audit a fixed percentage of randomly selected renewal applications to monitor compliance with the continuing education requirements. Any certificate holder so audited will be required to furnish documentation of compliance including name of provider, name of program, hours/continuing education units completed, date of completion, and evidence of D.H.R. approval.~~

~~(3) The Board establishes the following guidelines concerning the penalty for non-compliance in the case of the first offense; private reprimand consent letter, on condition of providing evidence of compliance within 60 calendar days and payment of a fine of \$500.00, if agreed to by the certificate holder. The foregoing guidelines will not apply if the certificate holder has made a false statement on the renewal application form or in the case of repeat violations. If the certificate holder does not agree to the above sanction, the Board may proceed with formal public charges (a Notice of Hearing) and a hearing pursuant to the Administrative Procedure Act.~~

~~Authority O.C.G.A. Sec. 31-11-58.1.~~